

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| First Named Inventor: | Guillermo J. Tearney | |
| Appln. No.: | 10/016,244 | |
| Filed: | October 30, 2001 | Examiner: Ruth S. Smith |
| Title: | OPTICAL METHODS FOR TISSUE ANALYSIS | Group Art Unit: 3737 |
| Confirmation No.: | 4538 | |

**RESPONSE TO NOTICE OF NON-COMPLIANT INFORMATION
DISCLOSURE STATEMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This paper is filed in response to the Notice of Non-Compliant Information Disclosure Statement ("Notice") mailed May 16, 2007 for the above-identified application.

Please be advised that the Information Disclosure Statement that was filed on December 11, 2006 as a submission under 37 C.F.R. §1.97(i) and not under 37 C.F.R. §1.97(e). Therefore, no further statement needs to be provided.

A copy of the Notification is enclosed.

Respectfully submitted,

DORSEY & WHITNEY LLP

Date: May 30, 2007

By: 

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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|------------------------------|------------------|
| 10/016,244 | 10/30/2001 | Guillermo J. Tearney | 00786-443001 / MGH 1542.1 | 4538 |
| 30873 7590 05/16/2007 DORSEY & WHITNEY LLP INTELLECTUAL PROPERTY DEPARTMENT 250 PARK AVENUE NEW YORK, NY 10177 | | | | |
| EXAMINER SMITH, RUTH S | | | | |
| ART UNIT | | PAPER NUMBER | | |
| 3737 | | | | |
| MAIL DATE | | DELIVERY MODE | | |
| 05/16/2007 | | PAPER | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Presile IDS?



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| APPLICATION NO./ CONTROL NO. | FILED DATE | FIRST NAMED INVENTOR/ PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. | |
| 101016244 | | | | |
| | | | EXAMINER | |
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DATE MAILED:

NOTICE OF NON-COMPLIANT INFORMATION DISCLOSURE STATEMENT

An Information Disclosure Statement (IDS) filed 12/11/02 in the above-identified application fails to meet the requirements of 37 CFR 1.97(d) for the reason(s) specified below. Accordingly, the IDS will be placed in the file, but the information referred to therein has not been considered.

The IDS is not compliant with 37 CFR 1.97(d) because:

- ☒ The IDS lacks a statement as specified in 37 CFR 1.97(e).
- ☐ The IDS lacks the fee set forth in 37 CFR 1.17(p).
- ☐ The IDS was filed after the issue fee was paid. Applicant may wish to consider filing a petition to withdraw the application from issue under 37 CFR 1.313(c) to have the IDS considered. See MPEP 1308.

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